



# THE ERIE COUNTY LEGISLATURE

Session No. 9

May 14, 2009

Lynn M. Marinelli  
*Chair*

Maria R. Whyte  
*Majority Leader*

John J. Mills  
*Minority Leader*

Robert M. Graber  
*Clerk of the Legislature*

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## ROLL CALL

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INVOCATION – Mr. Walter

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PLEDGE OF ALLEGIANCE – Ms. Miller-Williams

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## TABLED ITEMS

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## ITEMS FOR RECONSIDERATION FROM PREVIOUS MEETING

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## MINUTES OF PREVIOUS MEETING

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## PUBLIC HEARING

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## MISCELLANEOUS RESOLUTIONS:

KENNEDY	Memorial Resolution for John Ludovico
KENNEDY	Memorial Resolution for Rosalie (Mahiques) Colucci
KOZUB	Resolution Honoring the 73rd Annual WNY Safety Conference
KENNEDY	Memorial Resolution for John F. 'Jack' Maurer
KENNEDY	Memorial Resolution for Maureen (Queally) Carney
KENNEDY	Memorial Resolution for John Anthony Shea
MAZUR	Memorial Resolution for Javon Jackson
MAZUR	Memorial Resolution for Joseph J. Wroblewski
MARINELLI, WHYTE, MILLS, KOZUB, KENNEDY, MILLER- WILLIAMS, WALTER, KONST, GRANT, MAZUR, WROBLEWSKI, IANNELLO, REYNOLDS, LOUGHRAN & RATH	Honoring the Legacy of former Erie County Legislator Raymond K. Dusza
IANNELLO	Proclamation Naming May as Older Americans Month in Erie County
IANNELLO	Proclamation Congratulating the Lions Club of Kenmore Upon the Occasion of Their 80th Anniversary
GRANT	Honoring Dr. Angela Y. Davis for Her Ongoing Work Combating All Forms of Oppression in the U.S. and Abroad
REYNOLDS	Proclaim the Month of May 2009 as Motorcycle Awareness Month

REYNOLDS	Honoring Reverend George L. Reger
REYNOLDS	Declaring the Month of May as "Love Knows No Boundaries" Month Throughout WNY
WROBLEWSKI	Congratulating the West Seneca Kiwanis Club on its 50th Anniversary
WALTER	Congratulating Nathan B. Maziol on Achieving the Rank of Eagle Scout
MILLS	Congratulating Erik S. Macaluso on Achieving the Rank of Eagle Scout
MILLS	Congratulating George "Ethan" Dewald on Achieving the Rank of Eagle Scout
KONST	Congratulating Christopher Wendel on Achieving the Rank of Eagle Scout
MAZUR	Memorial Resolution for Kathleen M. (Frankiewicz) Getz

**LOCAL LAWS:**

**REFERENCE:**

LL INT. 2-1 3/18/2008	RANZENHOFER, MILLS & RATH	A LL Requiring Businesses to Verify that Employees are Legally Eligible to be Employed in the US and Erie County	Economic Development
LL INT. 5-1 6/10/2008	MILLS	A LL to Change the Name of the Department of Environment and Planning to the Department of Economic Development, Environment and Planning and Update Position Titles	Energy & Environment

**COMMITTEE REPORTS:**

REPORT NO. 6 COMMUNITY ENRICHMENT COMMITTEE

REPORT NO. 6 ECONOMIC DEVELOPMENT COMMITTEE

REPORT NO. 6 ENERGY & ENVIRONMENT COMMITTEE

REPORT NO. 5 GOVERNMENT AFFAIRS COMMITTEE

REPORT NO. 6 HEALTH & HUMAN SERVICES COMMITTEE

**LEGISLATOR RESOLUTIONS:**

**REFERENCE:**

INTRO 9-1	KOZUB	Renaming Ridge Rd. "Father Baker Blvd."
INTRO 9-2	MAZUR & REYNOLDS	Demanding Transparency and Public Accountability for the Adminstration's Decision to Terminate EC Administration of the Federal WIC Program
INTRO 9-3	REYNOLDS	Expressing Support for the Passage of Assembly Bill A7385 and Senate Bill S3039
INTRO 9-4	REYNOLDS	Re-Appointments to the EC Soil & Water Conservation Dist.
INTRO 9-5	KONST	Amending Sec. 1622 of the Vehicle and Traffic Law
INTRO 9-6	WALTER, RATH, MILLS & LOUGHRAN	Supporting Passage of "Jordy's Law"
INTRO 9-7	REYNOLDS, WHYTE, MILLER-WILLIAMS, GRANT & IANNELLO	To Support the Passage of Federal Senate Bill S-889, the Federal Milk Marketing Improvement Act of 2009
INTRO 9-8	MARINELLI, WHYTE, KOZUB, KENNEDY, MILLER-WILLIAMS, GRANT, IANNELLO & REYNOLDS	Cultural Grant Corrections for Arts in Education Institute and Big Orbit
INTRO 9-9	IANNELLO, MARINELLI, WHYTE, MILLER- WILLIAMS & REYNOLDS	Expressing Support for NYS Bills A.7572/S.4315 Regarding Limits on Greenhouse Gas Emissions
INTRO 9-10	IANNELLO, MARINELLI, WHYTE, KOZUB & MILLER-WILLIAMS	Support of NYS Bills A.187/S.2715 Regarding the Purchase of Electricity from Renewable Sources by Certain Electric Service Providers

**COMMUNICATIONS DISCHARGED FROM COMMITTEE:**

**SUSPENSION OF THE RULES:**

**COMMUNICATIONS FROM ELECTED OFFICIALS:**

**REFERENCE:**

COMM. 9E-1	WHYTE	Christopher Grant's Visit to the 6th District	Energy & Environment
COMM. 9E-2	SHERIFF	Law Enforcement Terrorism Prevention Program (LETPP) for Bomb Squads	Public Safety
COMM. 9E-3	MAZUR	Notice of Unavailability to Attend Committee Meetings Held April 30, 2009	R&F
COMM. 9E-4	COMPTROLLER	Risk Assessment of EC Government	Finance & Management
COMM. 9E-5	MARINELLI	Copy of Letter to Commissioner of Environment & Planning Concerning Cultural Funding Process	Community Enrichment
COMM. 9E-6	COMPTROLLER	2009 First Quarter Financial Report	Finance & Management
COMM. 9E-7	COUNTY EXECUTIVE	Appointment of Director of Purchasing	Government Affairs
COMM. 9E-8	COUNTY EXECUTIVE	Request for Extension of EC Additional .75% Sales Tax Authority	
COMM. 9E-9	IANNELLO	Copy of Letter Inviting Commissioners Sinnott and Sentz to Green Actions Community Sub-Committee - May 19, 2009	Energy & Environment
COMM. 9E-10	COUNTY EXECUTIVE	Appointment to ECMCC Board of Directors	Health & Human Services
COMM. 9E-11	COUNTY EXECUTIVE	Appointments to Buffalo & EC Public Library Board of Directors	Community Enrichment
COMM. 9E-12	COUNTY EXECUTIVE	Revised 2009-2012 EC Four-Year Plan	Finance & Management
COMM. 9E-13	COUNTY EXECUTIVE	Real Estate/Space Utilization - Efficiency Grant - Quarterly Update	Government Affairs

COMM. 9E-14	COUNTY EXECUTIVE	Appointment to EC Board of Ethics	Government Affairs
COMM. 9E-15	COUNTY EXECUTIVE	Appointments to Senior Services Advisory Board	Health & Human Services
COMM. 9E-16	COUNTY EXECUTIVE	Appointment to the Central Police Services Board of Trustees	Public Safety
COMM. 9E-17	COUNTY EXECUTIVE	Appointments to EC Disaster Preparedness Advisory Board	Public Safety
COMM. 9E-18	COUNTY EXECUTIVE	Appointment to the Board of Directors of the Buffalo Niagara Convention & Visitors Bureau	Community Enrichment
COMM. 9E-19	COUNTY EXECUTIVE	Transfer of County Property to Town of Brant	
COMM. 9E-20	COUNTY EXECUTIVE	Emergency Services - Acceptance of Interoperable Emergency Communication Grant	Public Safety
COMM. 9E-21	COUNTY EXECUTIVE	ECSD #3 - Central Maintenance Facility - Modification Project Contract Close Out	Energy & Environment
COMM. 9E-22	COUNTY EXECUTIVE	ECSD #3 - Central Maintenance Facility - Modifications Contract #32B - HVAC - Change Order #1	Energy & Environment
COMM. 9E-23	COUNTY EXECUTIVE	Fire Training Academy - New Live Burn Buildings at Chestnut Ridge Park and Amherst Sites	Public Safety
COMM. 9E-24	COUNTY EXECUTIVE	Buffalo and EC Public Library - Ellicott St. Entrance - Handicap Improvements	Community Enrichment
COMM. 9E-25	COUNTY EXECUTIVE	Request for Additional Senior Caseworker Position for HEAP	Health & Human Services
COMM. 9E-26	COUNTY EXECUTIVE	DSS - Non-Residential Domestic Violence Contracts	Health & Human Services
COMM. 9E-27	COUNTY EXECUTIVE	Pay As You Go Capital Project Utilization	Finance & Management
COMM. 9E-28	COUNTY EXECUTIVE	2009 Primetime Summer Contract Awards	Health & Human Services
COMM. 9E-29	COUNTY EXECUTIVE	EC Homelessness Prevention and Rapid Re-Housing Program - Grant Agreement with HUD and Sub-Grantee Organizations	Economic Development
COMM. 9E-30	COUNTY EXECUTIVE	Acceptance of Donated Equipment	Government Affairs

COMM. 9E-31	COUNTY EXECUTIVE	Sherwood Greenway - Town of Tonawanda: Receipt of Deed Conveyance for NYS Dept. of Transportation	Economic Development
COMM. 9E-32	COUNTY EXECUTIVE	First Aid/CPR/AED Employee Training	
COMM. 9E-33	COUNTY EXECUTIVE	Award of Construction Contract and Change Order for Construction Insp. Services for Parkview Dr. Bridge - Akron	
COMM. 9E-34	COUNTY EXECUTIVE	Memo Regarding ARRA	
COMM. 9E-35	COUNTY EXECUTIVE	Acceptance of Funds from the City of Buffalo	
COMM. 9E-36	MARINELLI	Copy of Letter to Commissioner Sinnott Regarding CE Meeting – April 30, 2009	Community Enrichment
COMM. 9E-37	MARINELLI, WHYTE, GRANT, IANNELLO, MILLER-WILLIAMS, MAZUR & KENNEDY	Copy of Letter to County Attorney Regarding 2009 Cultural Funding Contracts	Community Enrichment
<b><u>COMMUNICATIONS FROM THE DEPARTMENTS:</u></b>			<b><u>REFERENCE:</u></b>
COMM. 9D-1	COUNTY ATTORNEY	Receipt of LL INT. 1-1 "The Strategic Development Act"	Energy & Environment
COMM. 9D-2	COMMISSIONER OF PARKS & RECREATION	Statement of Cost of Outdoor Pools and Park Seasonals	Energy & Environment
COMM. 9D-3	ASSISTANT SANITARY ENGINEER - DEPT. OF ENVIRONMENT AND PLANNING	Vanderbilt Pump Station/Depew Pump Station and ORF Modifications	Energy & Environment
COMM. 9D-4	DIRECTOR OF BUDGET AND MANAGEMENT	BMR Report for EC - Period Ending March 31, 2009	Finance & Management
COMM. 9D-5	ASSISTANT SANITARY ENGINEER - DEPT. OF ENVIRONMENT AND PLANNING	Aurora North Pump Station - Elimination Project	Energy & Environment
COMM. 9D-6	COUNTY ATTORNEY	Notice of Public Hearing: LL INT. 1-1 "The Strategic Development Act"	Energy & Environment
COMM. 9D-7	EC HISTORIAN	Progress Report for Projects Completed or In-Progress - April 2009	Community Enrichment
COMM. 9D-8	BUFFALO & ERIE COUNTY PUBLIC LIBRARY	RFID Project Update and 2010 Planning	Community Enrichment

COMM. 9D-9	ECC PRESIDENT	2009-2010 ECC Budget	Community Enrichment
COMM. 9D-10	DIRECTOR OF SIX SIGMA	Quarterly Status Report	Finance & Management
COMM. 9D-11	COUNTY ATTORNEY	Transmittal of New Claims Against Erie County	Government Affairs

**COMMUNICATIONS FROM THE PEOPLE AND OTHER AGENCIES:**

**REFERENCE:**

COMM. 9M-1	IRISH CLASSICAL THEATER COMPANY	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-2	ROYCROFT CAMPUS CORPORATION	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-3	BUFFALO AND ERIE COUNTY HISTORICAL SOCIETY	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-4	MARTIN HOUSE RESTORATION CORPORATION	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-5	BUFFALO COMMON COUNCIL MEMBER LOCURTO	Letter Supporting the Strategic Development Act and the Creation of an EC Planning Board	Energy & Environment
COMM. 9M-6	LANCASTER OPERA HOUSE	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-7	BUFFALO ZOO	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-8	PENN DIXIE	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-9	SPRINGVILLE CENTER FOR THE ARTS	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-10	EXPLORE & MORE CHILDREN'S MUSEUM	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-11	GRAYCLIFF CONSERVANCY, INC.	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-12	AMERICAN LEGION BAND OF THE TONAWANDAS	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-13	YOUNG AUDIENCES ARTS FOR LEARNING	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-14	COMMUNITY MUSIC SCHOOL OF BUFFALO	Legislature Budget Accountability Act Report	Community Enrichment

COMM. 9M-15	NYSDEC	Cleanup Plan Finalized for Hanna Furnace Parcel - Available for Public Review	Energy & Environment
COMM. 9M-16	JUST BUFFALO LITERARY CENTER	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-17	FOLKLORIC PRODUCTIONS DANCE CO., INC.	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-18	AFRICAN AMERICAN CULTURAL CENTER	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-19	LOCUST STREET NEIGHBORHOOD ART CLASSES	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-20	BIG ORBIT GALLERY	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-21	CEPA GALLERY	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-22	SENATOR VOLKER	Acknowledgment of Receipt of Certified Resolutions	R&F
COMM. 9M-23	BUFFALO SOCIETY OF NATURAL SCIENCES	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-24	OLMSTED PARKS	Legislature Budget Accountability Act Report	Energy & Environment
COMM. 9M-25	BALLET ARTISTS OF WNY, INC.	Budget Plan - ECRAB Grant 2009 Ballet Artists of WNY (Neglia)	Community Enrichment
COMM. 9M-26	ECIDA	Letter Requesting Confirmation of Attendance for Annual Membership Meeting - May 11, 2009	Economic Development
COMM. 9M-27	ALLEYWAY THEATRE	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-28	NAACP	Letter Requesting Answers to the Findings of Two Comptroller Audits Regarding EC Correctional Facility and the EC Holding Center	Public Safety
COMM. 9M-29	ECIDA	Copy of 2008 Annual Audited Financial Statements	Economic Development
COMM. 9M-30	THEODORE ROOSEVELT INAUGURAL SITE	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-31	SHAKESPEARE IN DELAWARE PARK	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-32	BUFFALO & ERIE COUNTY NAVAL & MILITARY PARK	Legislature Budget Accountability Act Report	Community Enrichment



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COMM. 9M-33	BURCHFIELD PENNEY ART CENTER	Legislature Budget Accountability Act Report	Community Enrichment
COMM. 9M-34	COLUCCI & GALLAHER, P.C.	ECMCC Agenda Items for Board of Directors Meeting Held 4/28/09	Health & Human Services
COMM. 9M-35	TOWN OF PEMBROKE	Notice of Public Hearing - Town of Pembroke Local Law No. 2	R&F
COMM. 9M-36	NFTA	NFTA Board Minutes for Meeting Held 3/23/09	Economic Development
COMM. 9M-37	ASSEMBLYMEMBER CALHOUN	EC Legislature Actions Regarding Buffalo Bills	Economic Development
COMM. 9M-38	FRANCESCA KURNIK	Enhanced Private Duty Nurse Rate	Health & Human Services
COMM. 9M-39	NYSDEC & NYSDOH	Fact Sheet Regarding Environmental Cleanup Underway at Former Our Cleaners Site	Energy & Environment

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**ANNOUNCEMENTS:**

**MEMORIAL RESOLUTIONS:**

**ADJOURNMENT:**